

**CLAIM AMENDMENTS**

Please amend the claims as described below. In accordance with 37 CFR §1.121, a complete listing of all claims in the application is provided below. The status of each claim is indicated in the parenthetical expression adjacent to the corresponding claim number.

**Claims 1-8 (Canceled).**

- 1        9. **(Currently Amended)** A microelectromechanical device comprising:  
2        a substrate;  
3        a mechanical structure disposed over the substrate, wherein at least a portion of the  
4        mechanical structure is disposed in a chamber;  
5        a periphery area disposed over the substrate, wherein the periphery area includes a  
6        plurality of gaps therein; and  
7        a thin film encapsulation structure, disposed over the mechanical structure and the  
8        periphery area, to partially define and seal a the chamber.

- 1        10. **(Previously Presented)** The device of claim 9 wherein the thin film  
2        encapsulation structure includes first and second encapsulation layers.

- 1        11. **(Currently Amended)** The device of claim 10 wherein the first encapsulation  
2        ~~layer is comprised of~~ includes polycrystalline silicon, porous polycrystalline silicon,  
3        amorphous silicon, silicon carbide, silicon nitride, silicon/germanium, germanium, or gallium  
4        arsenide.

1           12. **(Currently Amended)** The device of claim 10 wherein the second  
2 encapsulation layer ~~is comprised of~~ includes polycrystalline silicon, porous polycrystalline  
3 silicon, amorphous silicon, germanium, silicon/germanium, gallium arsenide, or silicon  
4 carbide.

1           13. **(Previously Presented)** The device of claim 9 wherein the mechanical  
2 structure includes plurality of fixed electrodes, wherein the fixed electrodes include a  
3 plurality of gaps therein.

1           14. **(Previously Presented)** The device of claim 9 wherein the mechanical  
2 structure includes plurality of anchor regions, wherein the anchor regions include a plurality  
3 of gaps therein.

1           15. **(Currently Amended)** The device of claim 9 wherein the mechanical structure  
2 is a resonator including at least one fixed electrode, and an anchor region, and at least one  
3 moveable electrode that is physically connected to ~~an~~ the anchor region and adjacent to  
4 the fixed electrode, and wherein the fixed electrode and the anchor region include a  
5 plurality of gaps.

1           16. **(Currently Amended)** A microelectromechanical device comprising:  
2 a substrate;  
3 a mechanical structure disposed over the substrate wherein the mechanical  
4 structure includes moveable and fixed electrodes;

5 a periphery area disposed over the substrate;  
6 a getter area, disposed in predetermined portions of the periphery area and the  
7 fixed electrodes;  
8 a chamber, wherein the mechanical structure, the periphery area and the getter area  
9 are at least partially disposed in the chamber and wherein the getter area is exposed to  
10 fluid in the chamber; and  
11 a thin film encapsulation structure, disposed over the mechanical structure, the  
12 periphery area and the getter area, wherein the encapsulation seals the chamber.

1 17. **(Previously Presented)** The device of claim 16 wherein the getter area  
2 includes gaps in portions of the periphery area and the fixed electrodes.

1 18. **(Previously Presented)** The device of claim 16 wherein the getter area is  
2 capable of capturing impurities, atoms or molecules that are out-gassed from materials  
3 contained within the chamber.

1 19. **(Previously Presented)** The device of claim 16 wherein the mechanical  
2 structure is a resonator.

1 20. **(Previously Presented)** The device of claim 19 wherein the thin film  
2 encapsulation structure includes first and second encapsulation layers.

1           21. **(Currently Amended)** The device of claim 20 wherein the first encapsulation  
2 layer ~~is comprised of~~ includes polycrystalline silicon, porous polycrystalline silicon,  
3 amorphous silicon, silicon carbide, silicon nitride, silicon/germanium, germanium, or gallium  
4 arsenide.

1           22. **(Previously Presented)** The device of claim 20 wherein the second  
2 encapsulation layer ~~is comprised of~~ includes polycrystalline silicon, porous polycrystalline  
3 silicon, amorphous silicon, germanium, silicon/germanium, gallium arsenide, or silicon  
4 carbide.

1           23. **(NEW)** A microelectromechanical device comprising:  
2           a substrate;  
3           a mechanical structure disposed over the substrate, wherein at least a portion of the  
4 mechanical structure is disposed in a chamber;  
5           a periphery area disposed over the substrate, wherein the periphery area includes a  
6 plurality of gaps therein;  
7           a thin film encapsulation structure, disposed over the mechanical structure and the  
8 periphery area, to partially define and seal the chamber, wherein thin film encapsulation  
9 structure includes:  
10           a first encapsulation layer comprising polycrystalline silicon, porous  
11 polycrystalline silicon, amorphous silicon, silicon carbide, silicon nitride,  
12 silicon/germanium, germanium, or gallium arsenide; and

13 a second encapsulation layer, disposed on or over the first encapsulation  
14 layer, the second encapsulation layer comprising polycrystalline silicon, porous  
15 polycrystalline silicon, amorphous silicon, germanium, silicon/germanium, gallium  
16 arsenide, or silicon carbide.

1 24. (NEW) The device of claim 23 wherein the mechanical structure includes  
2 plurality of fixed electrodes, wherein the fixed electrodes include a plurality of gaps therein.

1 25. (NEW) The device of claim 23 wherein the mechanical structure includes  
2 plurality of anchor regions, wherein the anchor regions include a plurality of gaps therein.

1 26. (NEW) The device of claim 23 wherein the mechanical structure is a resonator  
2 including at least one fixed electrode, an anchor region, and at least one moveable  
3 electrode that is physically connected to the anchor region and adjacent to the fixed  
4 electrode, and wherein the fixed electrode and the anchor region include a plurality of  
5 gaps.

1 27. (NEW) The device of claim 23 wherein the microelectromechanical device  
2 further includes a getter area, disposed in predetermined portions of the periphery area  
3 and the fixed electrodes.

1 28. (NEW) The device of claim 27 wherein the getter area includes gaps in  
2 portions of the periphery area and the fixed electrodes.

1           29. **(NEW)** The device of claim 27 wherein the getter area is capable of capturing  
2   impurities, atoms or molecules that are out-gassed from materials contained within the  
3   chamber.

1           30. **(NEW)** The device of claim 29 wherein the mechanical structure is a resonator.